

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

UTAH RETIREMENT SYSTEMS,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

HEALTHCARE SERVICES GROUP, INC.,
DANIEL P. MCCARTNEY, THEODORE
WAHL, JOHN C. SHEA, and MATTHEW J.
MCKEE,

Defendants.

Case No. 2:19-cv-01227-ER

**LEAD PLAINTIFF’S MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION
AND FOR CERTIFICATION OF SETTLEMENT CLASS**

Pursuant to Federal Rule of Civil Procedure 23(e) and this Court’s Order Preliminarily Approving Settlement and Providing for Notice dated September 14, 2021 (ECF No. 72), Lead Plaintiff Utah Retirement Systems (“URS”), through its undersigned counsel, respectfully moves this Court for entry of an Order: (1) granting final approval of the proposed Settlement¹ set forth in the Stipulation as fair, reasonable, and adequate; (2) approving the Plan of Allocation as fair, reasonable, and adequate; and (3) certifying the Settlement Class for purposes of effectuating the Settlement.

This Motion is supported by (i) the accompanying Memorandum of Law in Support of Lead Plaintiff’s Motion for Final Approval of Class Action Settlement and Plan of Allocation and for Certification of the Settlement Class; (ii) the Declaration of Patrick T. Egan in Support of

¹ All defined terms not otherwise defined herein shall have the same meaning as set forth in the Stipulation and Agreement of Settlement (including attachments thereto), dated June 29, 2021 and filed on June 30, 2021 (ECF No. 70-4, the “Stipulation”).

(1) Lead Plaintiff's Motion for Final Approval of Class Action Settlement and Plan of Allocation and for Certification of the Settlement Class and (2) Lead Plaintiff's Counsel's Motion for an Award of Attorneys' Fees, Litigation Costs and Expenses and Award to Lead Plaintiff Pursuant to 15 U.S.C. § 78u-4(A)(4), and the exhibits attached thereto; (iii) all pleadings and records filed herein; (iv) the argument of counsel; (v) such oral and documentary evidence as may be presented at the hearing of this motion; and (vi) such other and further material as the Court may request and consider.

A proposed Final Judgment and Order of Dismissal With Prejudice granting the requested relief is submitted herewith.

DATED: December 3, 2021

BERMAN TABACCO

/s/ Patrick T. Egan

Patrick T. Egan (*Pro Hac Vice*)

Steven J. Buttacavoli (*Pro Hac Vice*)
One Liberty Square
Boston, MA 02109
Telephone: (617) 542-8300
Facsimile: (617) 542-1194
Email: pegan@bermantabacco.com

BERMAN TABACCO

Nicole Lavalley (*Pro Hac Vice*)
Jeffrey Rocha (*Pro Hac Vice*)
44 Montgomery Street, Suite 650
San Francisco, CA 94104
Telephone: (415) 433-3200
Facsimile: (415) 433-6382
Email: nlavalley@bermantabacco.com
jrocha@bermantabacco.com

*Counsel for Lead Plaintiff Utah Retirement Systems
& Lead Counsel for the Class*

and

**SCHNADER HARRISON SEGAL &
LEWIS LLP**

Ira Neil Richards
Arleigh P. Helfer III
1600 Market Street, Ste. 3600
Philadelphia, PA 19103

Telephone: (215) 751-2503
Facsimile: (215) 751-2205
Email: irichards@schnader.com
ahelfer@schnader.com

*Counsel for Lead Plaintiff Utah Retirement Systems
& Liaison Counsel for the Class*

CERTIFICATE OF SERVICE

I certify that on the 3rd of December, 2021, a true and correct copy of the foregoing document was filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record.

/s/ Patrick T. Egan

Patrick T. Egan